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BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE 1199SEIU NATIONAL :
BENEFIT FUND FOR HEALTH AND HUMAN :
SERVICE EMPLOYEES, :
:
Plaintiff, : **MEMORANDUM AND ORDER**
:
- against - : 18-CV-7123 (AMD) (CLP)
:
:
ALFRED COTTO, LAW OFFICE OF :
WILLIAM PAGER, SOL SOKEL, WILLIAM :
PAGER :
:
Defendants. :
:
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ANN M. DONNELLY, District Judge.

On December 18, 2018, I issued a temporary restraining order enjoining the defendants, their officers, agents, servants, employees and attorneys from disbursing or expending any proceeds up to \$38,262.19 of funds obtained in settlement of *Cotto v. Hernandez Guzman, et al.*, Index No. 515803/2015 (N.Y. Sup. Ct. Kings County), and imposing a constructive trust up to \$38,262.19 of the funds in the event the defendants receive funds from the settlement. (ECF No. 4.) Based on the parties' further submissions and the preliminary injunction proceedings held on January 3, 2019, I find that there is a likelihood that funds belonging to the plaintiff will be disbursed, and that the disbursement, if not enjoined, will irreparably harm the plaintiff's claim to the funds. Accordingly, the temporary restraining order is converted to a preliminary injunction on the same terms.

The Court dispenses with the necessity of a bond or other security. *See* Fed. R. Civ. P. 65(c). This preliminary injunction binds only those who receive actual notice of it. *See* Fed. R. Civ. P. 65(d)(2).

SO ORDERED.

s/Ann M. Donnelly

The Honorable Ann M. Donnelly
United States District Judge

Dated: Brooklyn, New York
January 3, 2019